

SENATE JOINT RESOLUTION 606

By Bunch

A RESOLUTION to create a special joint committee to study limiting the amount of security that bail bondsmen may require.

WHEREAS, present law limits the amount of premium that professional bail bondsmen may charge for making appearance bonds of a criminal nature; and

WHEREAS, there is no concomitant statutory limit on the amount of collateral security that professional bail bondsmen may require other than a requirement that the security collateral required must be reasonable in relation to the amount of the bond; and

WHEREAS, excessive collateral security requirements for bail bonds may severely limit certain persons' ability to make bail, thereby leading to jail overcrowding and potentially unnecessary incarceration of persons who are entitled to the presumption of innocence; now, therefore,

BE IT RESOLVED BY THE SENATE OF THE ONE HUNDRED FIFTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE HOUSE OF REPRESENTATIVES CONCURRING, that there is hereby created a special joint committee to study limiting the amount of security that bail bondsmen may require for appearance bonds.

BE IT FURTHER RESOLVED, that the committee shall consist of three (3) members of the House of Representatives and three (3) members of the Senate, to be appointed by the respective speakers.

BE IT FURTHER RESOLVED, that all appropriate state agencies shall provide assistance to the special joint committee upon request of the chair.

BE IT FURTHER RESOLVED, that all legislative members of the special joint committee who are duly elected members of the General Assembly shall remain members of such

committee until the committee reports its findings and recommendations to the General Assembly.

BE IT FURTHER RESOLVED, that the special joint committee shall be convened by the member with the most years of continuous service in the General Assembly, and at its first meeting shall elect a chair, vice-chair, and such other officers the committee deems necessary.

BE IT FURTHER RESOLVED, that the special committee shall timely report its findings and recommendations, including any proposed legislation, to the One Hundred Sixth General Assembly no later than March 1, 2009, at which time the committee shall cease to exist.